

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**AZURE NETWORKS, LLC and, TRICOUNTY  
EXCELSIOR FOUNDATION,**

**Plaintiffs,**

**v.**

**TEXAS INSTRUMENTS INC., FREESCALE  
SEMICONDUCTOR, INC., ATMEL  
CORPORATION, ZENTRUM  
MIKROELEKTRONIK DRESDEN AG, ZMD  
AMERICA, INC., NXP B.V., NXP  
SEMICONDUCTORS USA, INC., AND  
MICROCHIP TECHNOLOGY INC.,**

**Defendants.**

**CIVIL ACTION NO. 6:10-CV-681**

**JURY TRIAL DEMANDED**

**ORDER GRANTING DEFENDANT NXP SEMICONDUCTORS USA, INC.'S  
MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

On this date came for consideration the Motion by Defendant NXP Semiconductors USA, Inc. to Dismiss for Failure to State a Claim. The Court being of the opinion that same should be GRANTED, it is therefore,

ORDERED that the Motion by Defendant NXP Semiconductors USA, Inc. to Dismiss for Failure to State a Claim be and hereby is GRANTED. IT IS FURTHER ORDERED that all causes of action against NXP Semiconductors USA, Inc. are DISMISSED for failure to state a claim.